

State of Kansas
Department of Health and Environment

Public Notice Concerning Kansas / Federal
Water Pollution Control Permits and Applications

State of Kansas
Department of Health and Environment
Division of Environment-Bureau of Water
1000 SW Jackson St., Suite 420
Topeka, Kansas 66612-1367
Telephone: (785) 296-6432 - Ag Permits
(785) 296-5517 - All Others

Public Notice No. KS-AG-19-031/041
Public Notice No. KS-Q-19-016/022
Public Notice No. KS-NQ-19-004

Beginning Date: February 7, 2019
Comments Due: March 9, 2019

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 17, 28-18a-1 through 33, 28-16-150 through 154, 28-46-7, and the authority vested with the State by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

The proposed actions concerning the draft documents are based on staff review, applying the appropriate standards, regulations, and effluent limitations of the state of Kansas and the Environmental Protection Agency. The final action will result in a Federal National Pollutant Discharge Elimination System Authorization and/or a Kansas Water Pollution Control permit being issued, subject to certain conditions, revocation, and reissuance of the designated permit or termination of the designated permit.

Public Notice No. KS-AG-19-031

Application(s) for New or Expansion of Existing Swine Facilities

Name and Address of Applicant

Ben Enszt or Jeffrey Enszt
Enszt Nursery LLC
665 12th Ave.
Inman, KS 67546

Owner of Property Where Facility Will Be Located

Enszt Nursery LLC
665 12th Ave.
Inman, KS 67546

Legal Description

NE/4 of Section 36
T20S, R04W
McPherson County

Receiving Water

Little Arkansas River Basin

Kansas Permit No.: A-LAMP-S030

This is notification KDHE has received a complete permit application for the operation of a swine waste management facility capable of housing 4,400 head (440 animal units) of swine weighing less than 55 pounds each. The complete application can be viewed at the office of the McPherson County Clerk, the KDHE North Central District Office in Salina, Kansas or the KDHE Main Office in Topeka, KS. A permit to operate the proposed swine waste management system will not be

issued without additional public notice.

Public Notice No. KS-AG-19-032/041

Pending Permits for Confined Feeding Facilities

<u>Name and Address of Applicant</u>	<u>Legal Description</u>	<u>Receiving Water</u>
Ensz Nursery LLC Ben Ensz or Jeffrey Ensz 665 12 th Ave. Inman, KS 67546	NE/4 of Section 36 T20S, R04W McPherson County	Little Arkansas River Basin

Kansas Permit No.: A-LAMP-S030

This permit is being re-issued for a confined animal feeding operation for 4,400 head (440 animal units) of swine weighing less than 55 pounds. This represents an increase in the permitted animal units from the previous permit. An additional enclosed swine building, and an additional earthen wastewater retention structure are proposed at this facility.

Richard and Eric Conrad 30 C 661 Ave. Gaylord, KS 67638	NW/4 of Section 8 T06S, R13W Osborne County	Solomon River Basin
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Kansas Permit No.: A-SOOB-B013

This is a renewal permit for an existing facility for 999 head (999 animal units) of beef cattle weighing more than 700 pounds. There has been no change in animal units from the last permit.

Double D Farms Feedlot Dale Goetz 6606 E Road 100 S Park, KS 67751	SE/4 of Section 34 T09S, R27W NE/4 of Section 3 T10S, R27W Sheridan County	Saline River Basin
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Kansas permit No.: A-SASD-C004	Federal Permit No.: KS0098566
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This is a renewal permit for an existing facility for 495 head (495 animal units) of cattle weighing greater than 700 pounds and 958 head (479 animal units) of cattle weighing less than 700 pounds and 10 head (20 animal units) of horses; for a total of 994 animal units of livestock. There has been a decrease in animal numbers from the last permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Evans Cattle Inc. (East Yard) 798 County Road 52 Gove, KS 67736	SW/4 of Section 34 T14S, R28W Gove County	Smoky Hill River Basin
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Kansas Permit No.: A-SHGO-B031

This is a renewal permit for an existing facility for 999 head (999 animal units) of cattle weighing more

than 700 pounds. There has been no change in animal units from the last permit.

Fagen Dairy
Raymond Fagen
31097 SE D Road
Spearville, KS 67876

NW/4 of Section 22
T24S, R23W
Hodgeman County

Upper Arkansas
River Basin

Kansas Permit No.: A-UAHG-M001

This is a renewal permit for an existing facility for 120 head (168 animal units) of mature dairy cattle. There has been no change in animal units from the last permit.

Setter Farms
Paul & Michael Setter
2391 Hawaii Rd
Humboldt, KS 66748

NW/4 of Section 3
T26S, R19E
SE/4 of Section 33
T25S, R19E
Allen County

Neosho River Basin

Kansas Permit No.: A-NEAL-B001

This is a renewal permit for an existing facility for 100 head of cattle weighing more than 700 pounds and 200 head of cattle weighing less than 700 pounds, for a total of 200 animal units. There has been no change in animal units from the last permit.

Schulze Farms, LLC
7191 Road W6
Norton, KS 67654

NW/4 of Section 11
T02S, R24W
Norton County

Upper Republican
River Basin

Kansas Permit No.: A-URNT-B012

This is a renewal permit for an existing facility for 400 head (200 animal units) of cattle weighing 700 pounds or less. There has been no change in animal units from the last permit.

Sellard Farms (South)
Robert Sellard
12750 Road 131
Bucklin, KS 67834

NW/4 of Section 20
T29S, R21W
Ford County

Lower Arkansas
River Basin

Kansas Permit No.: A-ARFO-B002

This is a renewal permit for an existing facility for 990 head (990 animal units) of cattle weighing greater than 700 pounds. There has been no change in animal units from the last permit.

RJ Tammen Farms
3145 Avenue W
Timken, KS 67575

SW/4 of Section 22
T19S, R17W
Rush County

Upper Arkansas
River Basin

Kansas Permit No.: A-UARH-B009

This is a renewal permit for an existing facility for 250 head (250 animal units) of cattle more than 700 pounds and 250 head (125 animal units) of cattle 700 pounds or less, for a total of 375 animal units. There has been no change in animal units from the last permit.

Dwight Yarrow
975 Navajo Road
Clay Center, KS 67432

SW/4 of Section 20
T09S, R03E
Clay County

Lower Republican
River Basin

Kansas Permit No.: A-LRCY-B002

This is a renewal permit for an existing facility for 300 head (150 animal units) of cattle 700 pounds or less. There has been no change in animal units from the last permit.

Public Notice No.: KS-Q-19-016/022

The requirements of the draft permit public noticed below are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28 (b-g), and Federal Surface Water Criteria.

<u>NAME AND ADDRESS OF APPLICANT</u>	<u>RECEIVING STREAM</u>	<u>TYPE OF DISCHARGE</u>
Burlingame, City of 101 E Santa Fe Burlingame, KS 66413	Draoon Creek via Switzler Creek	Treated Domestic Wastewater

Kansas Permit No. M-MC07-OO01 Federal Permit No. KS0024694
Legal Description: SE¼, SW¼, NE¼, S14, T15S, R14E, Osage County, Kansas
Facility Location: 624 East Banks Avenue, Burlingame, KS 66413

The proposed action is to reissue an existing NPDES/State permit to an existing facility. This facility is a three-cell wastewater stabilization lagoon system. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, and ammonia, as well as monitoring for pH and E. coli.

Franklin County Commissioners
1428 South Main, Ste 6
Ottawa, KS 66067

Eight Mile Creek
via Unnamed Tributary

Treated Domestic
Wastewater

Kansas Permit No. M-MC62-OO01 Federal Permit No. KS0094838
Legal Description: SE¼, NE¼, NW¼, S30, T15S, R19E, Franklin County, Kansas
Facility Name: Centropolis Sewer District Wastewater Treatment Facility

The proposed action is to reissue an existing NPDES/State permit to an existing facility. This facility is a three-cell wastewater stabilization lagoon system. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, and E. coli, as well as monitoring for pH and ammonia.

Eureka, City of
309 North Oak
Eureka, KS 67045

Fall River

Process
Wastewater

Kansas Permit No. I-VE16-PO06 Federal Permit No. KS0101222
Legal Description: SE¼, SW¼, S34, T25S, R10E, Greenwood County, Kansas
Facility Name: Eureka Public Water Supply Wastewater Treatment System
Facility Location: 1001 N Poplar St, Eureka, KS 67045

The proposed action is to reissue an existing NPDES/State permit to an existing facility. This is a potable water treatment plant, which produces waste from filter backwashing and sedimentation basin blow down. The proposed permit contains limits for total residual chlorine, total suspended solids, and pH.

Jayhawk Fine Chemicals Corporation 8545 SE Jayhawk Drive Galena, KS 66739	Spring River via Lake Oxbow via Storm Sewer	Process Wastewater
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Kansas Permit No. I-NE28-PO07 Federal Permit No. KS0092568
Legal Description: NE¼, S4, T34S, R25E, Cherokee County, Kansas

The proposed action is to reissue an existing NPDES/State permit to an existing facility. This facility produces specialty carboxylic acids and anhydrides which are used as epoxy curing agents and as intermediates in the production of high temperature polymers. The proposed permit includes monitoring for flow, chloride, total dissolved solids, and volatile organic compounds.

N.R. Hamm Quarry, Inc PO Box 17 Perry, KS 66073	Missouri River via Wolf River via Unnamed Tributary	Process Wastewater
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Kansas Permit No. I-MO22-PO02 Federal Permit No. KS0097837
Legal Description: NE¼, S8, T3S, R20E, Doniphan County, Kansas
Facility Name: Troy/Huss Quarry #108

The proposed action is to reissue an existing NPDES/State permit to an existing facility. This facility is a limestone quarrying and crushing operation, with no rock washing. The proposed permit contains generic language to protect the waters of the State.

Pomona, City of PO Box 67 Pomona, KS 66076	Marais des Cygnes River	Treated Domestic Wastewater
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Kansas Permit No. M-MC36-OO01 Federal Permit No. KS0029068
Legal Description: W½, SW¼, NE¼ & S½, SE¼, NW¼, S5, T17S, R18E, Franklin County, Kansas

The proposed action is to reissue an existing NPDES/State permit to an existing facility. This facility is a four-cell wastewater stabilization lagoon system. This facility has been issued a variance from the 2013 ammonia criteria which requires the inclusion of a Pollutant Minimization Plan and an alternate ammonia criteria limit that establish the highest attainable condition for the facility, to meet the terms of the "Multiple-Discharger Lagoon Ammonia Variance" in the NPDES permit. The proposed permit includes a schedule of compliance requiring the city to complete a wastewater collection and treatment project for

improvements. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, and ammonia, as well as monitoring for pH and E. coli.

Unified School District # 362
13799 US Highway 152
LaCygne, KS 66040

Marais des Cygnes River via Treated Domestic
Elm Creek via Wastewater
Unnamed Tributary

Kansas Permit No. M-MC18-0002 Federal Permit No. KS0119971
Legal Description: NE¼, NW¼, NE¼, S3, T20S, R23E, Linn County, Kansas
Facility Name: Prairie View School

The proposed action is to reissue an existing NPDES/State permit to an existing facility. This facility is a three-cell wastewater stabilization lagoon system. The proposed permit contains limits for biochemical oxygen demand and total suspended solids, as well as monitoring for pH, ammonia and E. coli.

Public Notice No. KS-NQ-19-004

The requirements of the draft permit public noticed below are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-g).

<u>NAME AND ADDRESS OF APPLICANT</u>	<u>LEGAL LOCATION</u>	<u>TYPE OF DISCHARGE</u>
Wilks Underground Utilities, LLC 12000 W K-42 Highway Wichita, KS 67227	SW¼, SE¼, NE¼, S13, T28S, R2W, Sedgwick County, KS	Non-Overflowing

Kansas Permit No. C-AR94-NO17 Federal Permit No. KSJ000216

This action consists of issuing a new Kansas Water Pollution Control Permit for an existing non-overflowing facility, due to a transfer in ownership. The facility is a one-cell wastewater stabilization lagoon system. The proposed permit contains generic language to protect the waters of the State.

Persons wishing to comment on or object to the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments or objections considered in the decision-making process. Comments or objections should be submitted to the attention of Livestock Waste Management Section for agricultural related draft documents or applications, or to the permit clerk for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367.

All comments regarding the draft documents or application notices received on or before **March 9, 2019**, will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-19-031/041, KS-Q-19-016/022, KS-NQ-19-004) and name of the applicant/permittee when preparing comments.

After review of any comments received during the public notice period, the Secretary of Health and Environment will issue a determination regarding final agency action on each draft document/ application.

If response to any draft document / application indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC).

All draft documents / application and the supporting information including any comments received are on

file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available on the Internet at <http://www.kdheks.gov/feedlots>. Division of Environment offices are open from 8 a.m. to 5 p.m., Monday through Friday, excluding holidays.

Lee A. Norman, M.D.
Acting Secretary
Kansas Department of Health and Environment